

**REMARKS**

In light of the foregoing remarks and amendments, reconsideration and withdrawal of the rejections set forth in the Office Action dated September 3, 2004 are respectfully requested. Claims 1-28 were pending in this application at the time the present Office Action was mailed. Claims 18-20 have been cancelled and claims 21 and 23 have been amended in this correspondence; accordingly, claims 1-17 and 21-28 are now pending.

The applicant wishes to thank the Examiner for the thorough Office Action. In the Office Action, the Examiner rejected claims 18-20 and objected to claims 1-17 and 21-28. More particularly, the status of the application in light of this Office action is as follows:

Claims 1-17 and 23-28 are objected to because of informalities in independent claims 1, 6, 13, 23, 25, 26, and 28. Claims 1-17 and 23-28 are indicated to be allowable if rewritten to overcome the informality objections. More specifically, the Office Action required clear definition for the following parameters:

In claim 1, parameters "n", "d", and "m"

In claim 6 and 13, parameters "n", "d", "m", and "x"

In claim 23, parameters "n", "d", "m", "T", and "x"

In claim 25, 26, and 28 parameter "m"

Claims 18-20 are rejected under 35 U.S.C. §102(e) as being anticipated by Buehrer et al. (US Pat. No. 6,614,857)

Claims 21-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Response to Objections to Claims 1-17 and 23-28**

Claims 1-17 and 23-28 are objected to because of informalities in independent claims 1, 6, 13, 23, 25, 26, and 28, but are indicated to be allowable if rewritten to overcome the objections. The Office Action required clear definition for the following parameters: "n", "d", "m", "x", and "T" in these claims. The undersigned respectfully submits that the objected parameters are merely integers or other values indicating an arbitrary number associated with entities defined immediately following them and as such are believed to be sufficiently defined. Specifically, in the above mentioned independent claims, the parameter "n" in claims 1, 6, 13, and 23 is a number of "transmitted symbols." The parameter "d" in claims 1, 6, 13, and 23 is a number of "data symbols." The parameter "m" in claims 1, 6, 13, 23, 25, 26, and 28 is a number of "strongest data symbols." And the parameter "x" in claims 6, 13, and 23 is another integer indicating the quantity of the "strongest symbols." However claim 23 is amended to further clarify parameter "T" as an integer.

Overall, the applicant believes that the claims as pending, together with the above clarifications, clearly define the parameters in the claims. If the Examiner believes further clarification is necessary, he is encouraged to call the attorney below to discuss any additional clarifications he believes necessary.

Accordingly, independent claims 1, 6, 13, 23, 25, 26, and 28 are in condition for allowance and the undersigned respectfully requests the withdrawal of the objections to these claims. Claims 2-5 depend from claim 1, claims 7-12 depend from 6, claims 14-17 depend from claim 13, claim 24 depend from claim 23, and claim 27 depend from claim 26 and accordingly include the features of these independent claims. Therefore, the withdrawal of the objections to these claims is likewise requested.

**Response to Section 102 Rejection of Claims 18-20**

Claims 18-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Buehrer. While not conceding to the rejection, but only to expedite prosecution, claims 18-20 are hereby cancelled.

**Response to Objection to Claims 21-22**

Claims 21-22 are objected to as being dependent upon a rejected base claim (cancelled claim 18), but are indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 21 has been rewritten in independent form to include all the features and limitations of its corresponding base claim and any intervening claims. Claim 22 depends upon claim 21. Accordingly, claims 21-22 are in condition for allowance and the undersigned requests the withdrawal of the objection to these claims.

**Conclusion**

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and are in condition for allowance; therefore, a Notice of Allowance is respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3599.

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Respectfully submitted,

By 

Christopher J. Daley-Watson

Registration No.: 34,807

PERKINS COIE LLP/AWS

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000

(206) 359-7198 (Fax)

Attorney for Applicant